

Serial No. 09/884,231

Filed: June 19, 2001

REMARKS

Claims 1-19 and 28-43 are pending in the present application. Independent Claim 1 has been amended to make Claim 1 generic to independent Claims 2, 18, 28 and 34. Claims 38-43 have been added to claim subject matter disclosed in the specification. No new matter has been added.

Election/Restrictions

Applicant hereby provisionally elects, with traverse, Species D Claims 28-33 and 42-43.

Generic Claim

The Examiner has indicated that "the features recited in each group above [A, B, C, D and E] are mutually exclusive from each other. The Examiner has further indicated that there are no generic claims. Applicants respectfully traverse that there are no generic claims since Claim 1 is generic as to Claims 2-19 and Claims 28-43.

Claim 1 includes no material element in addition to those recited in Claims 2-19, and 28-43, and is therefore generic. Amended Claim 1 discloses the act of wrapping an electrical conductor around a selected thread and weaving the wrapped thread at a selected location in a cloth to serve as part of the weave of the cloth. Claim 2 discloses the act of wrapping an electrical conductor around a thread and weaving the wrapped thread at a selected location in a cloth so that the wrapped thread is a flex locus of the cloth. A wrapped thread that is weaved into a cloth so that the thread is a flex locus of the cloth (Claim 2) further describes a selected location that the wrapped thread is woven into the cloth (Claim 1). Accordingly, Claim 2 is a subspecies of Claim 1.

Claim 28 discloses the act of weaving a selected thread that is wrapped with an electrical conductor into a woven cloth at a single shed or course of the woven cloth that forms a woven spider. Weaving a selected thread that is wrapped with an electrical conductor into a woven cloth at a single shed or course of the woven cloth (Claim 28) further describes the manner in which the wrapped thread serves as part of the weave of the cloth (Claim 1). Accordingly Claim 28 is a subspecies of Claim 1.

Claim 34 describes helically wrapping an electrical conductor around a selected thread, treating the thread and weaving the treated thread that is wrapped with electrical conductor into a

Serial No. 09/884,231


Filed: June 19, 2001

woven cloth. Since Claim 1 similarly describes wrapping and weaving, Claim 34 is a subspecies of Claim 1.

Applicants respectfully request reconsideration and modification or withdrawal of the restriction requirement of July 27, 2004. Specifically, Applicants request the Examiner to recognize the generic character of amended Claim 1 and examine it along with the provisionally elected claims 28-33 and 42-43.

Applicants believe that present claims are allowable in their present form and that this application is in condition for allowance. It is therefore respectfully requested that the Examiner so find and issue a Notice of Allowance in due course. Should the Examiner deem a telephone conference to be beneficial in expediting allowance of this application, the Examiner is invited to call the undersigned attorney at the telephone number listed below. No fees are believed to be required at this time. However, should any additional fees be deemed necessary, please charge such fees to Deposit Account No. 23-1925.

Respectfully submitted,



Sanders N. Hillis
Attorney Reg. No. 45,712

SNH/cbw/dlh

BRINKS HOFER GILSON & LIONE
One Indiana Square, Suite 1600
Indianapolis, Indiana 46204
Telephone: (317) 636-0886
Fax: (317) 634-6701